

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF WISCONSIN

In Re: Duane Stout & Jennifer Stout,  
Debtors

Chapter 13 Bankruptcy  
Case No. 12-36019- gmh

**STIPULATION ALLOWING WITHDRAWAL  
OF TRUSTEE'S MOTION TO DISMISS**

An order for relief pursuant to 11 U.S.C. Chapter 13 having been entered in the case of the Debtors named above and a subsequent Motion to Dismiss this case pursuant to 11 U.S.C. § 1307(c) having been brought by the Trustee, the parties hereby stipulate and agree as follows:

1. The Trustee is allowed to withdraw the Motion to Dismiss.
2. The Debtors shall pay \$670.00 monthly, or such other amount as specified under the terms of any subsequent Chapter 13 plan confirmed by this Court, to be mailed to the Office of the Chapter 13 Trustee at P. O. Box 730, Memphis, TN 38101-0730 on or before the last day of each month, commencing with November 2016.
3. Should the Debtors fail to mail the equivalent of one monthly payment through and including April 2017, as provided above, the Trustee may submit an Affidavit of Default and an Order Dismissing Case without further notice or hearing.
4. If the Debtors pay the Trustee directly rather than through an employer and the Trustee receives the Debtors' payment on or before the 10th day of the month following the month for which such payment was due, the Trustee will consider the payment to have been made timely. If the Trustee receives such payment after the 10th day of the month following the month for which such payment was due and the postmark date is after the last day of such month, the Debtors must prove that the payment was mailed on or before the last day of the month for which it was due.
5. Withdrawal of this Motion to Dismiss is without prejudice to the Trustee's right to file a subsequent Motion to Dismiss when appropriate.

STIPULATED AND AGREED TO:

/s/

Office of the Chapter 13 Trustee  
P.O. Box 510920  
Milwaukee, WI 53203  
(414) 271-3943

/s/

David P. Leibowitz, Attorney for Debtor  
Lakelaw  
53 West Jackson Boulevard, Suite 1610  
Chicago, IL 60604  
(847) 249-9100

Prepared by:

Robert W. Stack, Staff Attorney  
Office of the Chapter 13 Trustee  
P.O. Box 510920  
Milwaukee, WI 53203  
T: (414) 271-3943  
F: (414) 271-9344